



February 13, 2015

SENATE JOINT RESOLUTION No. 19

DIGEST OF SJR19 (Updated February 12, 2015 10:58 am - DI ck)

Citations Affected: The Constitution of the State of Indiana.

Synopsis: Balanced Budget Amendment. Provides that the total amount of expense appropriations enacted by the general assembly for a budget period may not exceed the estimated revenue of the state during the budget period. Defines "revenue" as all income received by the state and all other state funds, excluding the proceeds of bonds or other loans and the balances and income of any trust funds of the state. Specifies that this requirement may be suspended if at least two-thirds of the members of the house of representatives and the senate vote to suspend the requirement. Provides that a state budget must appropriate money for the state's pension funds in the amount necessary to actuarially fund the accrued liability of the state's pension funds. Repeals the provision specifying that no law shall authorize any debt to be contracted on behalf of the state.

Effective: This proposed amendment must be agreed to by two consecutive general assemblies and ratified by a majority of the state's voters voting on the question to be effective.

Hershman, Kenley

January 14, 2015, read first time and referred to Committee on Rules & Legislative Procedure.

February 12, 2015, amended; reassigned to Committee on Tax & Fiscal Policy.



February 13, 2015

First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE JOINT RESOLUTION No. 19

A JOINT RESOLUTION proposing an amendment to Article 10 of the Constitution of the State of Indiana concerning state fiscal matters.

Be it resolved by the General Assembly of the State of Indiana:

- 1 SECTION 1. The following amendment to the Constitution of the
- 2 State of Indiana is proposed and agreed to by this, the One Hundred
- 3 Nineteenth General Assembly of the State of Indiana, and is referred
- 4 to the next General Assembly for reconsideration and agreement.
- 5 SECTION 2. ARTICLE 10, SECTION 5 OF THE CONSTITUTION
- 6 OF THE STATE OF INDIANA IS AMENDED TO READ AS
- 7 FOLLOWS: Section 5. ~~No law shall authorize any debt to be~~
- 8 ~~contracted; on behalf of the State; except in the following cases: to~~
- 9 ~~meet casual deficits in the revenue; to pay the interest on the State~~
- 10 ~~Debt; to repel invasion; suppress insurrection; or, if hostilities be~~
- 11 ~~threatened; provide for the public defense. (a) The following~~

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1 definitions apply to this section:

2 (1) "Revenue" means all income received by the State and all
3 other State funds, excluding:

4 (A) the proceeds of bonds or other loans; and

5 (B) the balances and income of any trust funds of the State.

6 (2) "Expense" means ordinary operating costs of State
7 government and the cost necessary to actuarially fund the
8 accrued liabilities for employees' pension benefits. The term
9 does not include any debt service payments made for asset-
10 backed debt.

11 (b) Subject to subsection (c), the total amount of expense
12 appropriations enacted by the General Assembly for a budget
13 period may not exceed the estimated revenue of the State, as
14 determined by law, during the budget period. The requirement
15 under this subsection may be suspended if at least two-thirds of the
16 members of the House of Representatives and at least two-thirds
17 of the members of the Senate vote to suspend the requirement.

18 (c) This subsection applies if before the end of a budget period
19 it is estimated, as determined by law, that the revenue of the State
20 during the budget period will be less than the amount of expense
21 appropriations enacted for that budget period. If this subsection
22 applies, the total amount of expense appropriations enacted by the
23 General Assembly for the following budget period may not exceed
24 the sum of:

25 (1) the estimated revenue of the State, as determined by law,
26 during the following budget period; minus

27 (2) the amount by which the expense appropriations made for
28 the current budget period exceed the estimated revenue of the
29 State in the current budget period.

30 The requirement under this subsection may be suspended if at least
31 two-thirds of the members of the House of Representatives and at
32 least two-thirds of the members of the Senate vote to suspend the
33 requirement.

34 (d) A State budget enacted by the General Assembly must
35 appropriate money for the State's pension funds in the amount
36 necessary to actuarially fund the accrued liability of all such
37 pension funds during the budget period, as determined at the
38 beginning of the budget period.

39 (e) All expenses that are expected to be incurred by the State
40 during the budget period must be included in the State budget.

41 (f) A court that orders a remedy pursuant to any case or
42 controversy arising under this section may not order any remedies



1 **other than a declaratory judgment or such other remedies that are**
2 **specifically authorized by the General Assembly in a law**
3 **implementing this section.**



COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Joint Resolution No. 19, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said joint resolution be AMENDED as follows:

Delete the title and insert the following:

A JOINT RESOLUTION proposing an amendment to Article 10 of the Constitution of the State of Indiana concerning state fiscal matters.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said Joint Resolution be reassigned to the Senate Committee on Tax & Fiscal Policy.

(Reference is to SJR 19 as introduced.)

LONG, Chairperson

